

MEMO ENDORSED

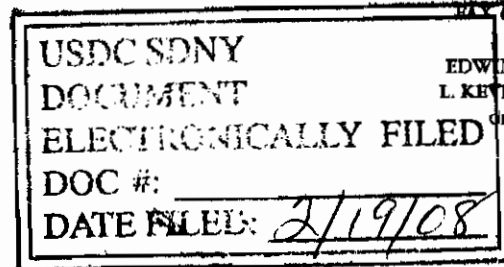
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February 6, 2008

Honorable Magistrate Judge James C. Francis  
 U.S. District Court  
 Southern District of New York  
 500 Pearl St.  
 New York, N.Y. 10007

Re: Speed v. The LIRR  
07 Civ 5438 (JCF)

Dear Judge Francis:

As your docket will indicate discovery was to have been completed with the filing of a Joint Pre Trial Order by January 31, 2008.

Unfortunately, due to scheduling conflicts, motion work and scheduled trials, the parties have been unable to complete discovery as of this date. I have had discussions with Sean Constable, Esq., attorney for defendant, and he feels a need to request an additional sixty (60) days of discovery till March 31, 2008.

In light of the above, the parties herein are requesting an adjournment of time with which to complete discovery and file the Joint Pre Trial Order till March 31, 2008. There have been no prior requests for this relief. 11

The parties wish to apologize for not making this application sooner, but we have just recently been able to discuss this case.

Thank you for your consideration of this request.

Respectfully,

  
 FREDRIC M. GOLD  
 cc: Sean Constable, Esq.

2/15/08  
 Application granted.  
 SO ORDERED.  
 James C. Francis IV  
 USMJ